

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

REBECCA STELMAN, MARK OCHOA, IAN
COLEMAN, CAITLYN HOLLERBACH, LOUIS
WEATHERSTON, DEMETRIES WRIGHT, JONAS
NYARIS, JANNI SAMUEL, MAIRA HERNANDEZ,
and LINDSAY MOORE, individually and on
behalf of all others similarly situated;

Plaintiffs,

v.

AMAZON.COM INC.; AMAZON LOGISTICS,
INC.; TEM EXPRESS LOGISTICS LLC dba TEMEX
LOGISTICS and TEML, a Washington limited
liability company; TORITSE ORUBU,
individually and on behalf of the marital
community composed of TORITSE ORUBU
and J. DOE ORUBU; BUTCHIE BOY
PRODUCTIONS, INC. d/b/a EXSELON, a
Washington corporation; JEFFREY BUTCHER,
individually and on behalf of the marital
community composed of JEFFREY BUTCHER
and KATHRYN BUTCHER; KATHRYN BUTCHER,
individually and on behalf of the marital
community composed of KATHRYN BUTCHER
and JEFFREY BUTCHER; ASTEROIDS GROUP
LLC dba ASTG, a Washington limited liability
company; KINGSLEY ONUCHUKWU,
individually and on behalf of the marital
community composed of KINGSLEY
ONUCHUKWU and J. DOE ONUCHUKWU;
ANAHIT MANUKYAN, individually and on

NO. 2:22-cv-01632-RSM

**STIPULATED MOTION TO EXTEND
DEADLINES AND SET BRIEFING
SCHEDULE**

**NOTED FOR CONSIDERATION:
DECEMBER 21, 2022**

STIPULATED MOTION TO EXTEND DEADLINES AND SET
BRIEFING SCHEDULE - 1

Case No. 2:22-cv-01632-RSM

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1 behalf of the marital community composed of
 2 ANAHIT MANUKYAN and J. DOE MANUKYAN;
 3 BENCHMARK TRANSPORT, LLC, a Washington
 4 limited liability company; DAMIEN WAGNER,
 5 individually and on behalf of the marital
 6 community composed of DAMIEN WAGNER
 7 and J. DOE WAGNER; ALDEN RADONCIC (aka
 8 ALDEN RADD), individually and on behalf of
 9 the marital community composed of ALDEN
 10 RADONCIC and J. DOE RADONCIC; THE TOTAL
 11 PACKAGE LOGISTICS, LLC, a Washington
 12 limited liability company; JEREMY FIXLER,
 13 individually and on behalf of the marital
 14 community composed of JEREMY FIXLER and
 15 HEATHER FIXLER; HEATHER FIXLER
 16 individually and on behalf of the marital
 17 community composed of HEATHER FIXLER
 18 and JEREMY FIXLER; NANCY LUNA,
 19 individually and on behalf of the marital
 20 community composed of NANCY LUNA and J.
 21 DOE LUNA; ASLAR LOGISTICS LLC, a
 22 Washington limited liability company; LAURA
 23 JOHNSON, individually and on behalf of the
 24 marital community composed of LAURA
 25 JOHNSON and JOSHUA JOHNSON; JOSHUA
 26 JOHNSON, individually and on behalf of the
 27 marital community composed of JOSHUA
 JOHNSON and LAURA JOHNSON; GOPLAY
 LOGISTICS LLC, a Washington limited liability
 company; TRACY PELLETT, individually and on
 behalf of the marital community composed of
 TRACY PELLETT and J. DOE PELLETT;
 AVANATOR.COM LLC, a Washington limited
 liability company; RICHARD ZECH, individually
 and on behalf of the marital community
 composed of RICHARD ZECH and J. DOE ZECH;
 POLE POSITION EXPRESS LOGISTICS LLC, a
 Washington limited liability company; DENNIS
 HANNAH, individually and on behalf of the
 marital community composed of DENNIS
 HANNAH and J. DOE HANNAH; TRUE
 MANAGEMENT LLC, a Washington limited
 liability company; CHRISTOPHER LILLEY,
 individually and on behalf of the marital

community composed of CHRISTOPHER LILLEY and J. DOE LILLEY; B.B.W. HOLDINGS, INC., a Michigan corporation; BARRY WILLIAMS, individually and on behalf of the marital community composed of BARRY WILLIAMS and J. DOE WILLIAMS; PARAGON DELIVERIES INC., a Washington corporation; and JORDAN OFFUTT, individually and on behalf of the marital community composed of JORDAN OFFUTT and J. DOE OFFUTT;

Defendants.

I. STIPULATION

Plaintiffs and Defendants Amazon.com Inc., Amazon Logistics, Inc. (collectively “Amazon”), TEM Express Logistics LLC dba Temex Logistics and TEML, Toritse Orubu, Aslar Logistics LLC, Laura Johnson, Joshua Johnson, Avanator.com LLC, Richard Zech, The Total Package Logistics, LLC, Jeremy Fixler, Heather Fixler, Nancy Luna, Asteroids Group LLC dba ASTG, Kingsley Onuchukwu, Anahit Manukyan, Butchie Boy Productions, Inc. d/b/a Exselon, Jeffrey Butcher, Kathryn Butcher, Paragon Deliveries Inc., Jordan Offutt, True Management LLC, and Christopher Lilley (collectively with Amazon, the “Defendants”), by and through their undersigned counsel of record, hereby STIPULATE AND AGREE to set the below proposed briefing schedule for Plaintiffs’ Motion for Remand, ECF No. 18, and extend the deadline for Defendants to respond to Plaintiffs’ complaint and the deadlines set forth in the Court’s Order Regarding Initial Disclosures, Joint Status Report and Early Settlement, ECF No. 7, until Plaintiffs’ motion for remand has been resolved.

Plaintiffs filed their class action complaint in King County Superior Court on September 30, 2022. ECF No. 1-1. Amazon filed a notice of removal on November 14, ECF No. 1, before any Defendants answered Plaintiffs’ complaint. On November 17, the Court entered an order setting the deadlines for the Rule 26(f) conference on January 6, 2023, initial disclosures on

1 January 13, and joint status report and discovery plan on January 20. ECF No. 7. On November
2 21, the Court entered the parties' stipulation and order extending Defendants' deadline to
3 answer or respond to the complaint to December 21. ECF No. 12. On December 14, Plaintiffs
4 moved the Court to remand this case back to the King County Superior Court, noting the motion
5 for January 20, 2023.

6 In light of Plaintiffs' pending motion for remand, there is good cause to extend the
7 deadlines in the Court's scheduling order (ECF No. 7) until after the motion for remand is
8 resolved. Specifically, there is a possibility the case may be remanded to King County Superior
9 Court. If so, the parties' efforts at coordinating and conducting a Rule 26(f) conference,
10 exchanging initial disclosures, and drafting and filing a joint status report and discovery plan—
11 all before resolution of the motion—would be for naught. The parties agree it would be a
12 better use of time and resources to focus on the issues raised in Plaintiffs' motion for remand
13 and allow the Court the opportunity to resolve the motion first. Accordingly, the parties
14 STIPULATE AND AGREE, subject to the Court's approval, to extend the deadlines set forth in ECF
15 No. 7 until after the Court enters an order resolving Plaintiffs' motion for remand. If the Court
16 retains jurisdiction over this case, the parties will file a stipulated motion to reset these
17 deadlines within seven (7) days of the entry of the Court's order resolving Plaintiffs' motion for
18 remand.

19 For these same reasons, there is good cause to extend Defendants' deadline to answer
20 or otherwise respond to Plaintiffs' complaint. Accordingly, the parties STIPULATE AND AGREE,
21 subject to the Court's approval, to extend Defendants' deadline to answer or otherwise
22 respond to Plaintiffs' complaint until fourteen (14) days after the Court enters an order
23 resolving Plaintiffs' motion for remand.

24 The parties further stipulate to re-note Plaintiffs' motion for remand and set a briefing
25 schedule to accommodate several deadlines and obligations the parties' counsel have in other
26 matters. Accordingly, the parties STIPULATE AND AGREE, subject to the Court's approval, to re-
27 note Plaintiffs' motion for remand (ECF No. 18) and set the following briefing schedule:

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
DEADLINE for Defendants' Response to Plaintiffs' Motion for Remand	1/16/2023	1/18/2023
DEADLINE for Plaintiffs' Reply in Support of Motion for Remand	1/20/2023	2/3/2023
NOTING DATE for Plaintiffs' Motion for Remand	1/20/2023	2/3/2023

STIPULATED TO AND DATED this 4th day of January, 2023.

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Jeffrey Butcher, Kathryn Butcher, Paragon
Deliveries Inc., Jordan Offutt, True
Management LLC, and Christopher Lilley*

II. ORDER

It is hereby Ordered, as follows:

1. The deadlines set in ECF No. 7 are extended until after the Court enters an order resolving Plaintiffs' motion for remand. If the Court retains jurisdiction over this case, the parties will file a stipulated motion to reset these deadlines within seven (7) days of the entry of the Court's order resolving Plaintiffs' motion for remand;

2. The deadline for Defendants to answer or otherwise respond to Plaintiffs' complaint are extended until fourteen (14) days after the Court enters an order resolving Plaintiffs' motion for remand; and

3. Plaintiffs' motion for remand (ECF No. 18) shall be re-noted for consideration on February 3, 2023, with the following briefing schedule:

EVENT	PROPOSED DEADLINE
DEADLINE for Defendants' Response to Plaintiffs' Motion for Remand	1/18/2023
DEADLINE for Plaintiffs' Reply in Support of Motion for Remand	2/3/2023
NOTING DATE for Plaintiffs' Motion for Remand	2/3/2023

It is so ordered.

DATED this 4th day of January, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE